

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA

v.

SCOTT EDWARD WILLYARD

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**No. 3:07-CR-44
(Phillips)**

MEMORANDUM AND ORDER

On April 25, 2008, the Honorable C. Clifford Shirley, Jr., United States Magistrate Judge, filed a 27-page Report and Recommendation (R&R) [Doc. 265] in which he recommended that defendant Willyard's motion to dismiss for improper venue [Doc. 93] be denied. No objections have been filed by the parties. After a careful review of this matter, the court is in complete agreement with the magistrate judge's recommendation that venue for the trial of this matter is proper in the Eastern District of Tennessee.

Accordingly, the court **ACCEPTS IN WHOLE** the report and recommendation under 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b). It is **ORDERED**, for the reasons stated in the report and recommendation, which the court adopts and incorporates into its ruling, that defendant's motion to dismiss for improper venue is **DENIED**.

ENTER:

s/ Thomas W. Phillips
United States District Judge